

**UNITED STATES DEPARTMENT OF AGRICULTURE  
FOREST SERVICE  
DANIEL BOONE NATIONAL FOREST**

**ORDER NO. 16-01-14**

**“EMERGENCY CLOSURE OF RAILROAD TUNNELS  
FOR PUBLIC HEALTH AND SAFETY”**

Pursuant to Title 36, Code of Federal Regulations, Section 261.50 (a) and to protect public safety, the following prohibition applies to the **“RAILROAD TUNNELS 7, 8 AND 9”** located along the old Cincinnati-Southern Railroad on the Stearns Ranger District within the Daniel Boone National Forest.

- It is prohibited from entering into Railroad Tunnels 7, 8 and 9. 261.53 (e)

**The above prohibited acts are set forth in Title 36 C.F.R., Section 261.53 (Special Closures).**

**This closure is for the protection of (e) *Public health or safety*.**

**Pursuant to 36 C.F.R. 261.50 (e), the following persons are exempt from the above Prohibition:**

Persons with a special use permit specifically authorizing the otherwise prohibited act or omission, issued by the District Ranger

Any Federal, State, or local officer, or member of an organized rescue or firefighting force in the performance of an official duty.

Any authorized person engaged in official administrative duties regarding National Forest Administration.

Prepared at Winchester, KY, this 1<sup>st</sup> day of December, 2014

/s/ BILL LORENZ  
Acting Forest Supervisor, DBNF

**ORDER EXPIRES 120 DAYS FROM DATE OF SIGNATURE**

Violations of the above prohibition set forth are punishable by a fine of not more than \$5,000 for an individual and \$10,000 for an organization or imprisonment for not more than six (6) months, or both. See 16 U.S.C. 551, 18 U.S.C. 3559 and 3571.



CIVIL RIGHTS IMPACT ANALYSIS  
DANIEL BOONE NATIONAL FOREST  
ORDER NO. 16-01-14

Major civil rights impacts are those consequences of proposed policy actions which, if implemented, would negatively and disproportionately affect groups or classes of people by virtue of their race, color, sex, national origin, age, religion, family status, or disability. The deciding officer has considered the impact of this proposal (Closure of Railroad Tunnels for Public Health and Safety) on the civil rights of minorities, women, persons with disabilities, and other protected groups. In considering the effects of the proposed action, it was determined that the civil rights of any protected group or class of people would not be affected by this closure.

The proposed actions would apply to all people occupying or using any portion of the Stearns Ranger District within the Daniel Boone National Forest.

PROPOSED ACTION:

Closure of Railroad Tunnels 7, 8 and 9 to all modes of travel to protect the health and safety of the public.

DURATION:

120 days

NEPA JUSTIFICATION:

This project falls within category 31.12 Categories of Actions for Which a Project or Case File and Decision Memo Are Not Required, (1)Orders issued pursuant to 36 CFR part 261 - Prohibitions to provide short-term resource protection or to protect public health and safety. 36 CFR 220.6(d)(1)

AGENCY: USDA-Forest Service, Daniel Boone National Forest

CONTACT: Acting Forest Supervisor

DATE: Dec. 1, 2014

IMPACT ANALYSIS:

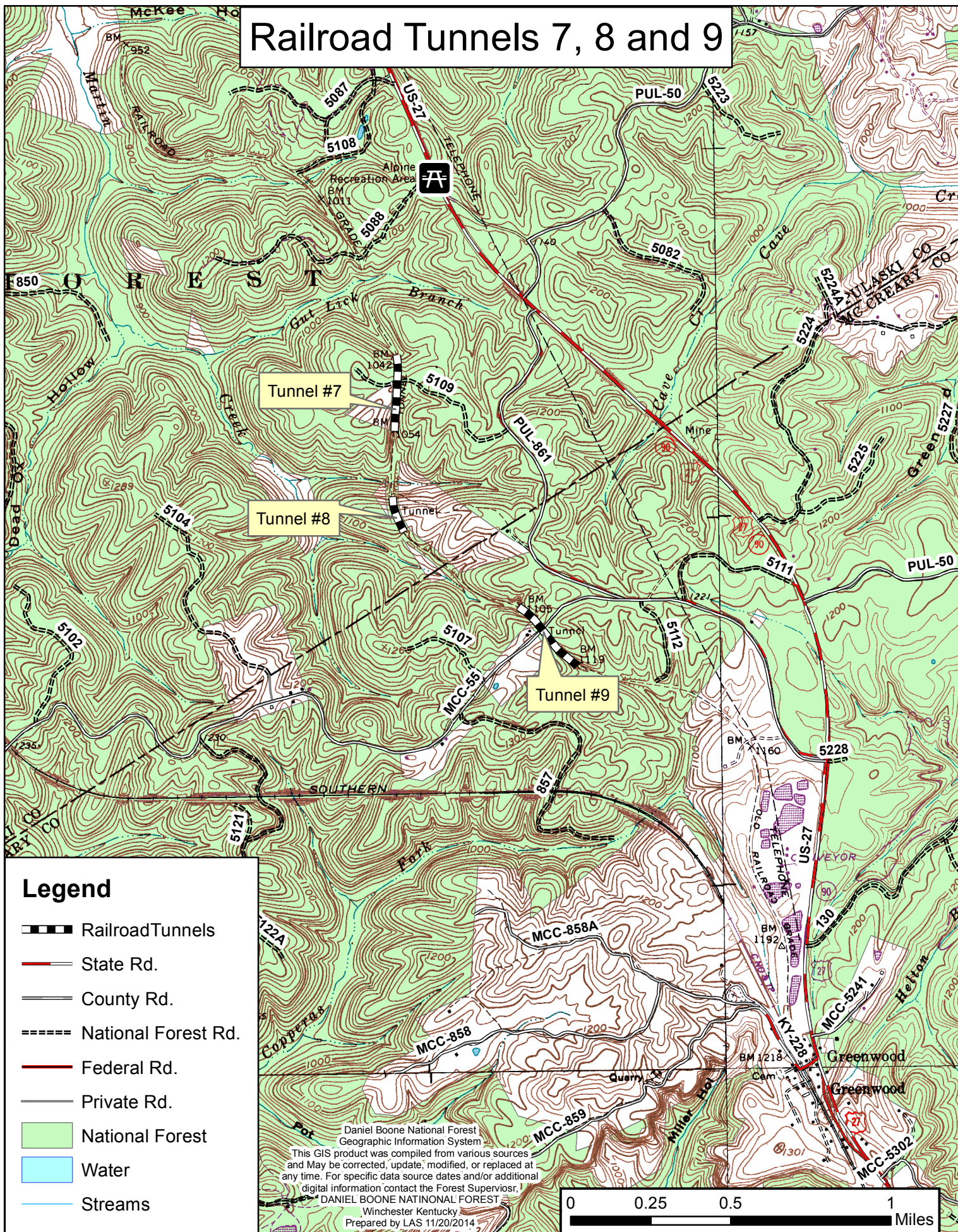
This closure will protect the health and safety of the public. Bricks and mortar are falling from the railroad tunnels jeopardizing the safety of the public who may enter them.

/s/BILL LORENZ

Acting Forest Supervisor



# Railroad Tunnels 7, 8 and 9



Order (16-01-14)



### Order Checklist

<input checked="" type="checkbox"/>	NEPA requirements completed.	<u>/s/Timothy O. Reed 11/20/2014</u>	(/s/) and date
<input checked="" type="checkbox"/>	Civil Rights requirements completed	<u>/s/Timothy O. Reed 11/20/2014</u>	(/s/) and date
<input checked="" type="checkbox"/>	Need for 120 day immediate issue	<u>/s/Timothy O. Reed 11/20/2014</u>	(/s/) and date
<input checked="" type="checkbox"/>	Routed to Forest SLEO.	<u>/s/ Timothy O. Reed 11/20/2014</u>	(/s/) and date
<input type="checkbox"/>	Forwarded to LE&I Zone Patrol Commander (ZPC) for review.	<u></u>	(/s/) and date
<input type="checkbox"/>	Forwarded to RO LE&I	<u></u>	(/s/) and date
<input type="checkbox"/>	Forwarded to OGC for review.	<u></u>	(/s/) and date
<input type="checkbox"/>	Reviewed by OGC and returned to LE&I.	<u></u>	(/s/) and date
<input type="checkbox"/>	Sent to Forest SLEO for approval by Forest.	<u></u>	(/s/) and date

The NEPA and CRIA/CRIS documentation must accompany the order and the original must be kept at the Forest and made available for review, if necessary. If this documentation is not required, due to the nature of the Order, the administrative record must indicate why the documentation is not required, and a copy attached.